

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:	Confirmation No.: 5806
Robert Barritz	Date: October 19, 2006
Serial No.: 09/933,540	Group Art Unit: 2194
Filed: August 20, 2001	Examiner: Van H. Nguyen
For: METHOD AND SYSTEM FOR DETERMINING THE USE AND NON-USE OF SOFTWARE PROGRAMS	

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VIA EFS-WEB

Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

TERMINAL DISCLAIMER TO OBVIATE DOUBLE PATENTING  
REJECTION (37 CFR §1.321(b))

Sir:

Interest of Person Making This Disclaimer

I, Max Moskowitz, of Ostrolenk, Faber, Gerb & Soffen, LLP, with offices at 1180 Avenue of the Americas, New York, New York 10036-8403, represent that I am a representative authorized to sign on behalf of the assignee identified below owning all of the interest in this application.

The required fee accompanies this disclaimer (\$130.00-large entity).

Identity and Title of Disclaimant

The assignee is:

Name of assignee	International Business Machines Corporation
Address of assignee	New Orchard Road
	Armonk, New York 10504

Title of disclaimant authorized to sign on behalf of assignee: Attorney of Record

Recordal of Assignment in PTO

The assignment was recorded on February 28, 2006, at Reel 017606, Frame 0567. Said document has been reviewed and, to the best of the assignee's knowledge and belief, title is in the assignee.

Disclaimer

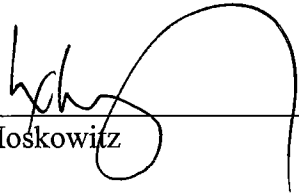
Max Moskowitz hereby disclaims the terminal part of any patent granted on the above-identified present application which would expire beyond the expiration date of the full statutory term of U.S. Patent Nos. 5,499,340 and 5,590,056; and

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I hereby declare that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements, and the like so made, are punishable by fine or imprisonment, or both, under Section 1001, Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Date: October 19, 2006

  
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Max Moskowitz